



0000049644

ORIGINAL

RECEIVED

2002 OCT 23 A 11: 04

AZ CORP COMMISSION
DOCUMENT CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL

CHAIRMAN

JIM IRVIN

COMMISSIONER

MARC SPITZER

COMMISSIONER

Docket No. E-01345A-02-0707

IN THE MATTER OF THE APPLICATION OF
ARIZONA PUBLIC SERVICE COMPANY
FOR AN ORDER OR ORDERS
AUTHORIZING IT TO ISSUE, INCUR, OR
ASSUME EVIDENCES OF LONG-TERM
INDEBTEDNESS; TO ACQUIRE A
FINANCIAL INTEREST OR INTERESTS IN
AN AFFILIATE OR AFFILIATES; TO LEND
MONEY TO AN AFFILIATES OR
AFFILIATES; AND TO GUARANTEE THE
OBLIGATIONS OF AN AFFILIATE OR
AFFILIATES

Arizona Corporation Commission

DOCKETED

OCT 23 2002

DOCKETED BY

RUCO'S RESPONSE TO APS'S MOTION FOR PROTECTIVE ORDER

The Residential Consumer Utility Office ("RUCO") hereby responds to Arizona Public Service Company's ("APS" or "Company") Motion for Protective Order ("Motion") filed October 16, 2002.

APS proposes to redact certain trade secret information from its data responses, and that parties requiring review of the redacted material would need to seek permission from the Commission's Administrative Law Judge to obtain access to the trade secret information. Further, APS proposes that any trade secret information be disclosed only to the party establishing its need for the information, and not to all parties to the proceeding. APS indicated that it has no objection to providing the trade secret information to Commission Staff and RUCO, but seeks a protective order to limit disclosure to the merchant intervenors that are its competitors.

1 RUCO expects that it will require review of trade secret information of the type that APS
2 proposes to redact. While RUCO understands APS's concerns regarding disclosure of trade
3 secret information to its competitors, disclosure of the trade secret information to RUCO does
4 not present the same concerns. APS even acknowledges as much in its Motion when it
5 indicates that it has objection to providing the information to Staff and RUCO.

6 RUCO objects to the procedure proposed by APS to the extent it requires RUCO to take
7 additional steps to obtain data responses which APS currently indicates it has no objection
8 providing to RUCO.

9 RESPECTFULLY SUBMITTED this 23rd day of October, 2002.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24


Scott S. Wakefield
Chief Counsel

1 AN ORIGINAL AND TEN COPIES
2 of the foregoing filed this 23rd day
of October, 2002 with:

3 Docket Control
4 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

5 COPIES of the foregoing hand delivered/
6 mailed this 23rd day of October, 2002 to:

7 Lyn Farmer
Chief Administrative Law Judge
8 Hearing Division
Arizona Corporation Commission
9 1200 West Washington
Phoenix, Arizona 85007

Jay I. Moyes
Moyes Storey
3003 N. Central Avenue
Suite 1250
Phoenix, Arizona 85012

10 Christopher Kempley, Chief Counsel
11 Legal Division
Arizona Corporation Commission
12 1200 West Washington
Phoenix, Arizona 85007

Michael A. Curtis, Esq.
William P. Sullivan, Esq.
Martinez & Curtis, P.C.
2712 N. 7th Street
Phoenix, Arizona 85006

13 Ernest Johnson, Director
14 Utilities Division
Arizona Corporation Commission
15 1200 West Washington
Phoenix, Arizona 85007

Mr. Curtis Kebler
Reliant Resources, Inc.
8996 Etiwanda Avenue
Rancho Cucamonga, California 91739

16 Thomas L. Mumaw, Esq.
17 Pinnacle West Capital Corporation
Law Department
18 P.O. Box 53999
Mail Station 8695
19 400 N. 5th Street
Phoenix, AZ 85072-3999

Mr. Brian Walker
Reliant Energy Wholesale Group
P.O. Box 286
Houston, Texas 77001

20 Matthew P. Feeney, Esq.
21 Jeffrey B. Guldner, Esq.
Snell & Wilmer, LLP
22 One Arizona Center
400 E. Van Buren Street
23 Phoenix, AZ 85004-0001

Roger K. Ferland
Quarles & Brady Streich Lang LLP
Renaissance One
Two North Central Avenue
Phoenix, Arizona 85004-2391

1 Raymond S. Heyman
Michael W. Patten
2 Roshka Heyman & DeWulf
One Arizona Center
3 400 E. Van Buren Street
Suite 800
4 Phoenix, Arizona 85004

5 Jesse A. Dillon
PPL
6 2 North Ninth Street
Allentown, PA 18101
7

Jay L. Shapiro
8 Fennemore Craig
3003 N. Central Avenue
9 Suite 2600
Phoenix, Arizona 85012

10 Larry F. Eisenstate
11 Michael R. Engleman
Dickstein Shapiro Morin &
12 Oshinsky LLP
2101 L Street, NW
13 Washington, DC 20037

14 Walter W. Meek
AUIA
15 2100 N. Central Avenue
Suite 210
16 Phoenix, Arizona 85004

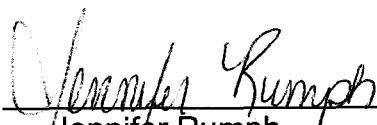
17 Lawrence V. Robertson, Jr.
Munger Chadwick
18 National Bank Plaza
333 N. Wilmot
19 Suite 300
Tucson, Arizona 85711

20 Greg Patterson
21 ACPA
5432 E. Avalon
22 Phoenix, Arizona 85018

23

24

Jana K. Brandt
SRP
MS PAB211
P.O. Box 52025
Phoenix, Arizona 85072-2025

By 
Jennifer Rumph